

# Congress of the United States

Washington, DC 20515

December 11, 2013

1233

The Honorable Tom Wheeler  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Dear Chairman Wheeler,

We understand that the Federal Communications Commission (FCC) is set to consider updates to its rules in order to allow passengers to use their cell phones onboard aircraft. Like many Americans, we have significant concerns about whether the use of cellular voice services during flights is a good idea. In fact, we oppose the use of voice services during flights. However, as Members of Congress who are concerned about making sure that our laws and regulations keep up with the pace of modern technologies, we support this process, and believe that appropriate actions can be taken to modernize an outdated technological rule and enhance passenger connectivity while in flight.

In-flight technology has been transformed over the past several years as U.S. airline passengers have been able to use their laptops and other Wi-Fi-enabled devices to remain connected onboard aircraft, as a result of the FCC's efforts to facilitate in-flight connectivity technologies.

According to a study by IHS, the percentage of global air carriers offering this technology (in-flight Wi-Fi or cellular connectivity) has risen to 21 % of the global fleet, up from 15 percent in 2012 and 12 percent in 2011, and is projected to reach 50% by 2022.

We understand that passenger use of mobile devices will allow access to a wide range of in-flight communications applications, including text, e-mail, and data applications. We also understand that the FCC appropriately seeks to provide airlines with a choice as to what applications their passengers will be able to access, rather than mandate specific requirements for U.S. airlines. Of course, the FCC should remain sensitive to the valid concerns raised by interested parties, including those related to possible in-flight use of voice applications.

Ultimately, however, it will be up to each individual airline to decide the best course of action for their customers. It is our understanding that the technology itself offers the airlines the flexibility to deploy a system that can allow data only. We would support that goal and encourage the FCC to explore fully this capability in its proceeding.

We look forward to the FCC developing a record that will enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

Sincerely,

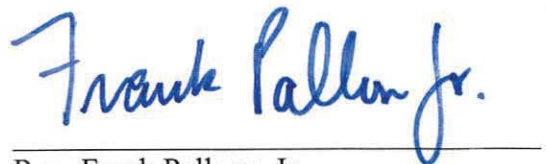
  
Rep. Suzan K. DelBene

  
Rep. Doris O. Matsui




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Rep. Anna G. Eshoo



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Rep. Frank Pallone, Jr.



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Rep. Mike Thompson



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Rep. Michael F. Doyle



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Rep. Diana DeGette




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Rep. Peter Welch



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Rep. Eric Swalwell



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Rep. Michael M. Honda





OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Diana DeGette  
U.S. House of Representatives  
2368 Rayburn House Office Building  
Washington, DC 20515

Dear Congresswoman DeGette:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

It is true that in-flight technology has been transformed over the past several years, and that passenger use of mobile devices could provide access to a wide range of in-flight communications applications, including text, e-mail, and data applications. It is also true that current technology offers airlines the flexibility to deploy a system that can allow data only.

The FCC's December *NPRM* represented the beginning of a process to consider whether and how we should revise our rules to account for new technology and to improve consumers' access to mobile wireless services onboard aircraft. As a first step in that process, we are collecting information and soliciting the views of consumers and other stakeholders on an array of questions that will assist us in determining if any modifications to our rules would serve the public interest. However, even if the record leads the Commission to update our rules, it will be the airlines' decision, in consultation with their customers and subject to applicable Department of Transportation (DoT) and Federal Aviation Administration (FAA) rules, whether or not to permit the use of data, text and/or voice services while airborne.

There are several key aspects to the Commission's proposal. First, we propose to harmonize our rules by expanding the current restriction on in-flight use of cellphones operating in the 800 MHz band to cover all mobile communications services in all mobile wireless bands. That the current rules do not apply to phones operating in other cellular frequencies represents a regulatory inconsistency that is poor policy.

Second, we propose to modernize our rules by permitting airlines using FAA-certified airborne access systems to decide, consistent with DoT and FAA rules, whether and how to make in-flight mobile wireless services available to their customers. As the expert agency on communications, it is the FCC's role to examine continuously our rules in light of such



technology developments and to eliminate unnecessary or outdated regulations where appropriate. The principal reason the Commission adopted its existing rule was out of a concern that such use onboard an aircraft could interfere with a terrestrial network on the ground. Today, new airborne access systems, which have been in use for a number of years by airlines in other countries, capably manage the mobile device's signal so that it does not cause interference to cell phone networks on the ground.

In light of these recent technological advances, the Commission is obligated to examine whether our existing restrictions on airborne use remain necessary to prevent harmful interference to mobile networks on the ground. Accordingly, the Commission is seeking comment on whether such airborne access systems can be used by airlines to effectively manage mobile broadband-capable devices operating on U.S. cellular bands. This proposal would replace current restrictions – which affect some, but not all, mobile bands – with a consistent regulatory framework that explicitly prohibits airborne use of cellular services in all frequency bands unless an aircraft is equipped with an airborne access system and is complying with all applicable DoT and FAA requirements.

Consistent with the views expressed in your letter, initial public response to the *NPRM* largely has focused on the possibility that modernizing our rules would open the door to allow passengers to make voice calls during flight. Many are concerned that adoption of this proposal would result in a less-enjoyable travel experience caused by other passengers engaging in unreasonably loud phone conversations during flight. These are not unreasonable concerns. As a frequent airline passenger, I would prefer that voice calls not be made on planes. However, it is the responsibility of the Commission to ensure, to the greatest degree we can, that our rules are based on sound *technological* judgments.

If the Commission determines that airborne mobile use is possible without negative effects to cellular networks, the *airlines*, under the FCC's proposal, would have the ultimate say as to whether and how to provide service using cellular airborne access systems, subject to applicable DoT and FAA rules. In fact nothing in this proposal would limit the ability of airlines to ban voice conversations in-flight. For example, an airline could choose to not offer voice service at all and to only provide data communications so that passengers can experience the kind of data-focused activities that you mention: surf the Web, send and receive text messages and email, or access social media to stay connected to friends and family.

Moreover, issues regarding passenger impact are more appropriately resolved by the DOT's Office of the Secretary (OST), which oversees aviation consumer protection issues, and the FAA, which has authority over safety issues. In this regard, OST recently issued an Advance Notice of Proposed Rulemaking (ANPRM) to examine the issue of air passengers' airborne use of mobile wireless devices for voice calls. The ANPRM seeks comment on whether allowing in-flight voice communications is unfair to consumers and, if so, whether such use should be banned or restricted. I am fully supportive of that examination.

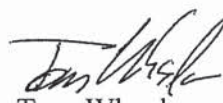
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Congress can also address whether in-flight voice calls should be banned. Two bills have been introduced, H.R 3676 and S.1811, that would ban voice calls on flights. H.R 3676 has been reported out of the House Committee on Transportation and Infrastructure. The Commission is ready to offer technical assistance on these bills and any other similar legislation.

There will be months of public comment and debate on the specific issues raised in the *NPRM* prior to any adoption of final rules. We hope that all interested stakeholders, including the airlines, flight attendants, pilots, the flying public, and others will review our draft proposal closely and engage in our rulemaking process.

Once again, thank you for apprising me of your views on this important matter. Please let me know if there is any additional information about this matter I can provide. We will place your inquiry in the record of this proceeding.

Sincerely,



Tom Wheeler

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<sup>1</sup> Section 410 in the FAA Modernization and Reform Act of 2012 (Public Law 112-95) directed the Administrator of the FAA to conduct a study on the impact of the use of cell phones for voice communications in an aircraft during a flight in scheduled passenger air transportation. Section 410 directed the study to include a review of foreign government and air carrier policies on the use of cell phones during flight; a review of the extent to which passengers use cell phones for voice communications during flight; and a summary of any impacts of cell phone use during flight on safety, the quality of the flight experience of passengers, and flight attendants.





OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Suzan Delbene  
U.S. House of Representatives  
318 Cannon House Office Building  
Washington, DC 20515

Dear Congresswoman Delbene:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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Second, we propose to modernize our rules by permitting airlines using FAA-certified airborne access systems to decide, consistent with DoT and FAA rules, whether and how to make in-flight mobile wireless services available to their customers. As the expert agency on communications, it is the FCC's role to examine continuously our rules in light of such



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Moreover, issues regarding passenger impact are more appropriately resolved by the DOT's Office of the Secretary (OST), which oversees aviation consumer protection issues, and the FAA, which has authority over safety issues. In this regard, OST recently issued an Advance Notice of Proposed Rulemaking (ANPRM) to examine the issue of air passengers' airborne use of mobile wireless devices for voice calls. The ANPRM seeks comment on whether allowing in-flight voice communications is unfair to consumers and, if so, whether such use should be banned or restricted. I am fully supportive of that examination.

Additionally, the FAA is actively engaged in this matter to the extent it impacts airline safety or operations. Earlier this year the FAA released a Congressionally-mandated report titled *Study on the Use of Cell Phones on Passenger Aircraft* indicating that foreign civil aviation authorities in numerous countries where such technology has already been deployed reported “no documented occurrences of cell phones affecting flight safety on aircraft with on-board cellular telephone base stations.” The study found that “[n]one of the civil aviation authorities reported any cases of air rage or flight attendant interference related to passengers using cell phones on aircraft equipped with on-board cellular telephone base stations.”<sup>3</sup>

Congress can also address whether in-flight voice calls should be banned. Two bills have been introduced, H.R 3676 and S.1811, that would ban voice calls on flights. H.R 3676 has been reported out of the House Committee on Transportation and Infrastructure. The Commission is ready to offer technical assistance on these bills and any other similar legislation.

There will be months of public comment and debate on the specific issues raised in the *NPRM* prior to any adoption of final rules. We hope that all interested stakeholders, including the airlines, flight attendants, pilots, the flying public, and others will review our draft proposal closely and engage in our rulemaking process.

Once again, thank you for apprising me of your views on this important matter. Please let me know if there is any additional information about this matter I can provide. We will place your inquiry in the record of this proceeding.

Sincerely,



Tom Wheeler

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OFFICE OF  
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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Mike Doyle  
U.S. House of Representatives  
239 Cannon House Office Building  
Washington, DC 20515

Dear Congressman Doyle:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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Additionally, the FAA is actively engaged in this matter to the extent it impacts airline safety or operations. Earlier this year the FAA released a Congressionally-mandated report titled *Study on the Use of Cell Phones on Passenger Aircraft* indicating that foreign civil aviation authorities in numerous countries where such technology has already been deployed reported “no documented occurrences of cell phones affecting flight safety on aircraft with on-board cellular telephone base stations.” The study found that “[n]one of the civil aviation authorities reported any cases of air rage or flight attendant interference related to passengers using cell phones on aircraft equipped with on-board cellular telephone base stations.”<sup>5</sup>

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Tom Wheeler

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Anna Eshoo  
U.S. House of Representatives  
241 Cannon House Office Building  
Washington, DC 20515

Dear Congresswoman Eshoo:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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Tom Wheeler

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Michael Honda  
U.S. House of Representatives  
1713 Longworth House Office Building  
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In light of these recent technological advances, the Commission is obligated to examine whether our existing restrictions on airborne use remain necessary to prevent harmful interference to mobile networks on the ground. Accordingly, the Commission is seeking comment on whether such airborne access systems can be used by airlines to effectively manage mobile broadband-capable devices operating on U.S. cellular bands. This proposal would replace current restrictions – which affect some, but not all, mobile bands – with a consistent regulatory framework that explicitly prohibits airborne use of cellular services in all frequency bands unless an aircraft is equipped with an airborne access system and is complying with all applicable DoT and FAA requirements.

Consistent with the views expressed in your letter, initial public response to the *NPRM* largely has focused on the possibility that modernizing our rules would open the door to allow passengers to make voice calls during flight. Many are concerned that adoption of this proposal would result in a less-enjoyable travel experience caused by other passengers engaging in unreasonably loud phone conversations during flight. These are not unreasonable concerns. As a frequent airline passenger, I would prefer that voice calls not be made on planes. However, it is the responsibility of the Commission to ensure, to the greatest degree we can, that our rules are based on sound *technological* judgments.

If the Commission determines that airborne mobile use is possible without negative effects to cellular networks, the *airlines*, under the FCC's proposal, would have the ultimate say as to whether and how to provide service using cellular airborne access systems, subject to applicable DoT and FAA rules. In fact nothing in this proposal would limit the ability of airlines to ban voice conversations in-flight. For example, an airline could choose to not offer voice service at all and to only provide data communications so that passengers can experience the kind of data-focused activities that you mention: surf the Web, send and receive text messages and email, or access social media to stay connected to friends and family.

Moreover, issues regarding passenger impact are more appropriately resolved by the DOT's Office of the Secretary (OST), which oversees aviation consumer protection issues, and the FAA, which has authority over safety issues. In this regard, OST recently issued an Advance Notice of Proposed Rulemaking (ANPRM) to examine the issue of air passengers' airborne use of mobile wireless devices for voice calls. The ANPRM seeks comment on whether allowing in-flight voice communications is unfair to consumers and, if so, whether such use should be banned or restricted. I am fully supportive of that examination.



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Congress can also address whether in-flight voice calls should be banned. Two bills have been introduced, H.R 3676 and S.1811, that would ban voice calls on flights. H.R 3676 has been reported out of the House Committee on Transportation and Infrastructure. The Commission is ready to offer technical assistance on these bills and any other similar legislation.

There will be months of public comment and debate on the specific issues raised in the *NPRM* prior to any adoption of final rules. We hope that all interested stakeholders, including the airlines, flight attendants, pilots, the flying public, and others will review our draft proposal closely and engage in our rulemaking process.

Once again, thank you for apprising me of your views on this important matter. Please let me know if there is any additional information about this matter I can provide. We will place your inquiry in the record of this proceeding.

Sincerely,



Tom Wheeler

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Doris Matsui  
U.S. House of Representatives  
2434 Rayburn House Office Building  
Washington, DC 20515

Dear Congresswoman Matsui:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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The FCC's December *NPRM* represented the beginning of a process to consider whether and how we should revise our rules to account for new technology and to improve consumers' access to mobile wireless services onboard aircraft. As a first step in that process, we are collecting information and soliciting the views of consumers and other stakeholders on an array of questions that will assist us in determining if any modifications to our rules would serve the public interest. However, even if the record leads the Commission to update our rules, it will be the airlines' decision, in consultation with their customers and subject to applicable Department of Transportation (DoT) and Federal Aviation Administration (FAA) rules, whether or not to permit the use of data, text and/or voice services while airborne.

There are several key aspects to the Commission's proposal. First, we propose to harmonize our rules by expanding the current restriction on in-flight use of cellphones operating in the 800 MHz band to cover all mobile communications services in all mobile wireless bands. That the current rules do not apply to phones operating in other cellular frequencies represents a regulatory inconsistency that is poor policy.

Second, we propose to modernize our rules by permitting airlines using FAA-certified airborne access systems to decide, consistent with DoT and FAA rules, whether and how to make in-flight mobile wireless services available to their customers. As the expert agency on communications, it is the FCC's role to examine continuously our rules in light of such



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Tom Wheeler

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Frank Pallone  
U.S. House of Representatives  
237 Cannon House Office Building  
Washington, DC 20515

Dear Congressman Pallone:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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Sincerely,



Tom Wheeler

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Eric Swalwell  
U.S. House of Representatives  
501 Cannon House Office Building  
Washington, DC 20515

Dear Congressman Swalwell:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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Sincerely,



Tom Wheeler

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Mike Thompson  
U.S. House of Representatives  
231 Cannon House Office Building  
Washington, DC 20515

Dear Congressman Thompson:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

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Sincerely,



Tom Wheeler

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OFFICE OF  
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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

April 8, 2014

The Honorable Peter Welch  
U.S. House of Representatives  
2303 Rayburn House Office Building  
Washington, DC 20515

Dear Congressman Welch:

Thank you for contacting me regarding the Commission's proposal to modernize and harmonize its rules governing in-flight wireless services. I welcome your comments on this issue, and appreciate the opportunity to clarify the limited, technology-focused *Notice of Proposed Rulemaking (NPRM)* the Commission approved on December 12, 2013. I also appreciate your support for the Commission's process, and recognition that appropriate actions can be taken to modernize an outdated technological rule and enable in-flight connectivity options that are available elsewhere in the world to be available in the United States.

It is true that in-flight technology has been transformed over the past several years, and that passenger use of mobile devices could provide access to a wide range of in-flight communications applications, including text, e-mail, and data applications. It is also true that current technology offers airlines the flexibility to deploy a system that can allow data only.

The FCC's December *NPRM* represented the beginning of a process to consider whether and how we should revise our rules to account for new technology and to improve consumers' access to mobile wireless services onboard aircraft. As a first step in that process, we are collecting information and soliciting the views of consumers and other stakeholders on an array of questions that will assist us in determining if any modifications to our rules would serve the public interest. However, even if the record leads the Commission to update our rules, it will be the airlines' decision, in consultation with their customers and subject to applicable Department of Transportation (DoT) and Federal Aviation Administration (FAA) rules, whether or not to permit the use of data, text and/or voice services while airborne.

There are several key aspects to the Commission's proposal. First, we propose to harmonize our rules by expanding the current restriction on in-flight use of cellphones operating in the 800 MHz band to cover all mobile communications services in all mobile wireless bands. That the current rules do not apply to phones operating in other cellular frequencies represents a regulatory inconsistency that is poor policy.

Second, we propose to modernize our rules by permitting airlines using FAA-certified airborne access systems to decide, consistent with DoT and FAA rules, whether and how to make in-flight mobile wireless services available to their customers. As the expert agency on communications, it is the FCC's role to examine continuously our rules in light of such



technology developments and to eliminate unnecessary or outdated regulations where appropriate. The principal reason the Commission adopted its existing rule was out of a concern that such use onboard an aircraft could interfere with a terrestrial network on the ground. Today, new airborne access systems, which have been in use for a number of years by airlines in other countries, capably manage the mobile device's signal so that it does not cause interference to cell phone networks on the ground.

In light of these recent technological advances, the Commission is obligated to examine whether our existing restrictions on airborne use remain necessary to prevent harmful interference to mobile networks on the ground. Accordingly, the Commission is seeking comment on whether such airborne access systems can be used by airlines to effectively manage mobile broadband-capable devices operating on U.S. cellular bands. This proposal would replace current restrictions – which affect some, but not all, mobile bands – with a consistent regulatory framework that explicitly prohibits airborne use of cellular services in all frequency bands unless an aircraft is equipped with an airborne access system and is complying with all applicable DoT and FAA requirements.

Consistent with the views expressed in your letter, initial public response to the *NPRM* largely has focused on the possibility that modernizing our rules would open the door to allow passengers to make voice calls during flight. Many are concerned that adoption of this proposal would result in a less-enjoyable travel experience caused by other passengers engaging in unreasonably loud phone conversations during flight. These are not unreasonable concerns. As a frequent airline passenger, I would prefer that voice calls not be made on planes. However, it is the responsibility of the Commission to ensure, to the greatest degree we can, that our rules are based on sound *technological* judgments.

If the Commission determines that airborne mobile use is possible without negative effects to cellular networks, the *airlines*, under the FCC's proposal, would have the ultimate say as to whether and how to provide service using cellular airborne access systems, subject to applicable DoT and FAA rules. In fact nothing in this proposal would limit the ability of airlines to ban voice conversations in-flight. For example, an airline could choose to not offer voice service at all and to only provide data communications so that passengers can experience the kind of data-focused activities that you mention: surf the Web, send and receive text messages and email, or access social media to stay connected to friends and family.

Moreover, issues regarding passenger impact are more appropriately resolved by the DOT's Office of the Secretary (OST), which oversees aviation consumer protection issues, and the FAA, which has authority over safety issues. In this regard, OST recently issued an Advance Notice of Proposed Rulemaking (ANPRM) to examine the issue of air passengers' airborne use of mobile wireless devices for voice calls. The ANPRM seeks comment on whether allowing in-flight voice communications is unfair to consumers and, if so, whether such use should be banned or restricted. I am fully supportive of that examination.



Additionally, the FAA is actively engaged in this matter to the extent it impacts airline safety or operations. Earlier this year the FAA released a Congressionally-mandated report titled *Study on the Use of Cell Phones on Passenger Aircraft* indicating that foreign civil aviation authorities in numerous countries where such technology has already been deployed reported “no documented occurrences of cell phones affecting flight safety on aircraft with on-board cellular telephone base stations.” The study found that “[n]one of the civil aviation authorities reported any cases of air rage or flight attendant interference related to passengers using cell phones on aircraft equipped with on-board cellular telephone base stations.”<sup>19</sup>

Congress can also address whether in-flight voice calls should be banned. Two bills have been introduced, H.R. 3676 and S.1811, that would ban voice calls on flights. H.R. 3676 has been reported out of the House Committee on Transportation and Infrastructure. The Commission is ready to offer technical assistance on these bills and any other similar legislation.

There will be months of public comment and debate on the specific issues raised in the *NPRM* prior to any adoption of final rules. We hope that all interested stakeholders, including the airlines, flight attendants, pilots, the flying public, and others will review our draft proposal closely and engage in our rulemaking process.

Once again, thank you for apprising me of your views on this important matter. Please let me know if there is any additional information about this matter I can provide. We will place your inquiry in the record of this proceeding.

Sincerely,



Tom Wheeler

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<sup>19</sup> Section 410 in the FAA Modernization and Reform Act of 2012 (Public Law 112-95) directed the Administrator of the FAA to conduct a study on the impact of the use of cell phones for voice communications in an aircraft during a flight in scheduled passenger air transportation. Section 410 directed the study to include a review of foreign government and air carrier policies on the use of cell phones during flight; a review of the extent to which passengers use cell phones for voice communications during flight; and a summary of any impacts of cell phone use during flight on safety, the quality of the flight experience of passengers, and flight attendants.